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7/12/01

FILED
HARRISBURG

JUL 11 2001

MARY E. D'ANDREA, CLERK
Per *9/8*
DEPUTY CLERK

1-01-CV-817

PETITIONER EXHIBITS OF EXHAUSTION (A)

Respondents have failed to comply with discovery order and petitioner has done the best of his ability to present a claim and the abuses he has endured for a seven year period and has since still been subjected to this form of abuse and mental oppression, deprivation under the color of law by those who have authority over him. Because the defendants have failed in the duty and complying with the discovery order it is hindering petitioner access to the court and to comply with orders. Enclosed are a copy of final review for misconduct and grievances and there are a few pending that petitioner never got a reply to also see the cruel punishment and placement of plaintiff in a hard cell without reason and false claim, to justify this abuse since tape would not support this punishment. Warden Gillis failed to comply with D.O.C. policy for grievance appeals in this matter in a timely manner as required by the policy.

RESPECTFULLY KIM SMITH

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS
1451 N. MARKET STREET
ELIZABETHTOWN, PA 17022

OFFICE OF THE
CHIEF HEARING EXAMINER

December 15, 1998

EL A - 7

Kim Smith, CT-2162
SCI Smithfield

Re: DC-ADM 804 - Final Review
Grievance No. SMI-0404-98

Dear Mr. Smith:

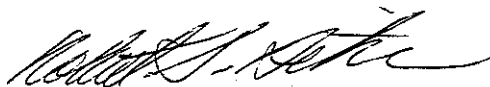
This is to acknowledge receipt of your appeal to final review of the above numbered grievance.

In accordance with the provisions of DC-ADM 804, VI D, as amended effective November 1, 1997, I have reviewed the entire record of this grievance; including your initial grievance, the Grievance Officer's response, your appeal from initial review and the Superintendent's response. I have also carefully reviewed the issues you raise to final review.

Upon completion this review, it is the decision of this office to uphold the responses provided by staff at the institutional level. I find the issues raised for final review have been addressed by the Grievance Coordinator and the Superintendent, and their responses are reasonable and appropriate.

I concur with the responses already provided at the institution level. Accordingly, your appeal to final review must be denied.

Sincerely,



Robert S. Bitner
Chief Hearing Examiner

RSB:ph
pc: Superintendent Morgan

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS
2520 LISBURN ROAD, P.O. BOX 598
CAMP HILL, PA 17001-0598

THE SECRETARY'S OFFICE OF
INMATE GRIEVANCES AND APPEALS

May 16, 2001

Kim Smith, CT-2162
SCI Coal Township

RE: DC-ADM 804 – Final Review
Grievance No. COA-0250-01

Dear Mr. Smith:

This is to acknowledge receipt of your letter to this office. Upon review of your letter, it is the decision of this office to file your letter without action because you have failed to comply with the provision(s) of the revised DC-ADM 804 effective January 1, 2001.

In accordance with the provisions of the DC-ADM 804, VI D, 1, a proper appeal to final review should include photocopies of the Initial Grievance, Initial Review, the Appeal to the Facility Manager, and the Facility Manager's decision. The text of your appeal to this office shall be legible, presented in a courteous manner, and the statement of facts shall not exceed two pages.

Review of the record reveals that your appeal is incomplete. You have failed to provide this office with the required documentation that relates to your appeal. An appeal at this level will not be permitted until you have complied with all procedures established in DC-ADM 804. **Any further correspondence from you regarding this grievance, which does not contain the required documents needed to conduct final review, will result in a dismissal of your grievance.**

Sincerely,



Tshanna C. Kyler
Administrative Assistant

TCK/ms

cc: Superintendent Gillis
Grievance Office
Central File

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS
1451 N. MARKET STREET
ELIZABETHTOWN, PA 17022

OFFICE OF THE
CHIEF HEARING EXAMINER

May 22, 2001

Kim Smith, CT-2162
SCI Coal Township

Re: DC-ADM 801 - Final Review
Misconduct No. 875160

Dear Mr. Smith: *Warden has failed to reply to any appeals filed on this misconduct or reply to any grievances filed.*
Your appeal of the above-referenced misconduct has been referred to this office for review.

However, our inquiry into this matter reveals that you have not yet appealed to the Superintendent of your institution as required by DC-ADM 801. Until this appeal is completed, final review cannot be granted. Upon receiving the response from your appeal to the Superintendent, you may once again submit a timely written appeal for final review.

This response does not grant you a right to an appeal if it would otherwise be untimely to pursue that appeal. However, in evaluating the timeliness of any appeal you submit, the time consumed by erroneously directing your appeal to this office may be disregarded at the discretion of the recipient of your next appeal.

Sincerely,



Robert S. Bitner
Chief Hearing Examiner

RSB:bjk

pc: Superintendent Gillis

This act interfered/hindered in the drawing of a claim for abuse received at the hands of SCI staff.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS
1451 N. MARKET STREET
ELIZABETHTOWN, PA 17022

OFFICE OF THE
CHIEF HEARING EXAMINER

EF A - 7

January 25, 1999

1

Kim Smith, CT-2162
SCI Smithfield

Re: DC-ADM 804 - Final Review
Grievance No. SMI-0418-97 and SMI-0419-98

Dear Mr. Smith:

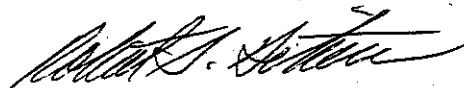
Your request for appeal to final review of the above noted grievance is hereby acknowledged.

In accordance with the provisions of DC-ADM 804, VI, D, as amended effective November 1, 1997, I have reviewed Grievance Nos. SMI-0418-98 and SMI-0419-98 and all documents related to your appeal at the institutional level and this office.

After a careful evaluation of the entire record, it is the decision of this office that your appeal to final review be dismissed. Review of the record reveals that on October 13, 1998, you refused two opportunities to be seen by Dr. Long to discuss the issues raised in your grievance. Having refused to discuss your issues with the Medical Director at initial review, you cannot appeal the response provided at initial review.

For the above stated reasons, your appeal to final review is dismissed.

Sincerely,



Robert S. Bitner
Chief Hearing Examiner

RSB:ph

pc: Superintendent Morgan

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS
1451 N. MARKET STREET
ELIZABETHTOWN, PA 17022

OFFICE OF THE
CHIEF HEARING EXAMINER

April 24, 2000

Kim Smith, CT-2162
SCI Smithfield

Re: DC-ADM 804 - Final Review
Grievance No. SMI-0063-00

Dear Mr. Smith:

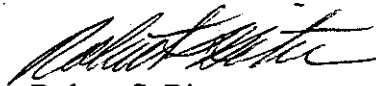
This is to acknowledge receipt of your appeal to final review of the above numbered grievance.

In accordance with the provisions of DC-ADM 804, VI D, as amended effective November 1, 1997, I have reviewed the entire record of this grievance; including your initial grievance, the Grievance Officer's response, your appeal from initial review and the Superintendent's response. I have also carefully reviewed the issues you raise to final review.

Upon completion this review, it is the decision of this office to uphold the responses provided by staff at the institutional level. I find the issues raised for final review have been addressed by the Grievance Coordinator and the Superintendent, and their responses are reasonable and appropriate.

I concur with the responses already provided at the institution level. Accordingly, your appeal to final review must be denied.

Sincerely,



Robert S. Bitner
Chief Hearing Examiner

RSB:ph
pc: Superintendent Morgan

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS
1451 N. MARKET STREET
ELIZABETHTOWN, PA 17022

OFFICE OF THE
CHIEF HEARING EXAMINER

February 2, 1999

EL-A-7

Kim Smith, CT-2162
SCI Smithfield

Re: DC-ADM 804 - Final Review
Grievance No. SMI-0504-98

Dear Mr. Smith:

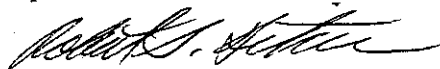
This is to acknowledge receipt of your appeal to final review of the above numbered grievance.

In accordance with the provisions of DC-ADM 804, VI D, as amended effective November 1, 1997, I have reviewed the entire record of this grievance; including your initial grievance, the Grievance Officer's response, your appeal from initial review and the Superintendent's response. I have also carefully reviewed the issues you raise to final review.

Upon completion this review, it is the decision of this office to uphold the responses provided by staff at the institutional level. I find the issues raised for final review have been addressed by the Grievance Coordinator and the Superintendent, and their responses are reasonable and appropriate.

I concur with the responses already provided at the institution level. Accordingly, your appeal to final review must be denied.

Sincerely,



Robert S. Bitner
Chief Hearing Examiner

RSB:ph
pc: Superintendent Morgan

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS
2520 LISBURN ROAD, P.O. BOX 598
CAMP HILL, PA 17001-0598

THE SECRETARY'S OFFICE OF
INMATE GRIEVANCES AND APPEALS

June 19, 2001

Kim Smith, CT-2162
SCI Coal Township

Re: DC-ADM 804 – Final Review
Grievance No. COA-0161-01

Dear Mr. Smith:

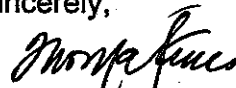
This is to acknowledge receipt of your appeal to final review of the above numbered grievance.

In accordance with the provisions of DC-ADM 804, effective January 1, 2001, I have reviewed the entire record of this grievance; including your initial grievance, the grievance officer's response, your appeal from initial review and the superintendent's response. I have also carefully reviewed the issues you raise to final review.

Upon completion of this review, it is the decision of this office to uphold the responses provided by staff at the institutional level. Our review indicates that you are being considered for continued treatment and the doctor sees you on a regular basis. Our review also indicates that you have been less than cooperative with the medical staff regarding your care. I believe the instruction from Superintendent Gillis to the Corrections Health Care Administrator addressed your claim of inadequate medical attention. Moreover, I find nothing inappropriate about the doctor's comments related to the level of community services available for people with your condition.

The responses provided at the institutional level are appropriate and in accordance with Department of Corrections policies and procedures. Accordingly, your appeal to final review must be denied.

Sincerely,



Thomas L. James
Chief Grievance Coordinator

TLJ/tck

cc: Superintendent Gillis
Grievance Office
Central File

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS
2520 LISBURN ROAD, P.O. BOX 598
CAMP HILL, PA 17001-0598

THE SECRETARY'S OFFICE OF
INMATE GRIEVANCES AND APPEALS

May 31, 2001

Kim Smith, CT-2162
SCI Coal Township

RE: DC-ADM 804 – Final Review
Grievance No. COA-0282-01

Dear Mr. Smith:

This is to acknowledge receipt of your letter to this office. Upon review of your letter, it is the decision of this office to file your letter without action because you have failed to comply with the provision(s) of the revised DC-ADM 804 effective January 1, 2001.

In accordance with the provisions of the DC-ADM 804, VI D, 1, a proper appeal to final review should include photocopies of the Initial Grievance, Initial Review, the Appeal to the Facility Manager, and the Facility Manager's decision. The text of your appeal to this office shall be legible, presented in a courteous manner, and the statement of facts shall not exceed two pages.

Review of the record reveals that your appeal is incomplete. You have failed to provide this office with the required documentation that relates to your appeal. An appeal at this level will not be permitted until you have complied with all procedures established in DC-ADM 804. **Any further correspondence from you regarding this grievance, which does not contain the required documents needed to conduct final review, will result in a dismissal of your grievance.**

Sincerely,

Tshanna Kyler

Tshanna C. Kyler
Administrative Assistant

TCK/ms

cc: Superintendent Gillis
Grievance Office
Central File

*About nurse Bernas cutting my
diabetic medication without cause
or authority attempted murder*

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS
2520 LISBURN ROAD, P.O. BOX 598
CAMP HILL, PA 17001-0598

THE SECRETARY'S OFFICE OF
INMATE GRIEVANCES AND APPEALS

401 14 15 HN
June 7, 2001

Kim Smith, CT-2162
SCI Coal Township

Re: DC-ADM 804 – Final Review
Grievance Nos. COA-0062-01 and COA-0108-01

Dear Mr. Smith:

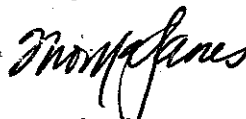
This is to acknowledge receipt of your appeal to final review of the above numbered grievances.

In accordance with the provisions of DC-ADM 804, effective January 1, 2001, I have reviewed the entire record of these grievances; including your initial grievance, the grievance officer's response, your appeal from initial review and the superintendent's response. I have also carefully reviewed the issues you raise to final review.

Upon completion of this review, it is the decision of this office to refer these grievances to the Bureau of Health Care Services for review. Upon completion of this review, I will then complete final review of your grievances and provide you with a written response.

This letter is to advise you that final review will be delayed pending review by the Bureau of Health Care Services.

Sincerely,



Thomas L. James
Chief Grievance Coordinator

TLJ/kp

cc: Superintendent Gillis

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS
2520 LISBURN ROAD, P.O. BOX 598
CAMP HILL, PA 17001-0598

THE SECRETARY'S OFFICE OF
INMATE GRIEVANCES AND APPEALS

May 31, 2001

Kim Smith, CT-2162
SCI Coal Township

RE: DC-ADM 804 – Final Review
Grievance No. COA-0282-01

Dear Mr. Smith:

This is to acknowledge receipt of your letter to this office. Upon review of your letter, it is the decision of this office to file your letter without action because you have failed to comply with the provision(s) of the revised DC-ADM 804 effective January 1, 2001.

In accordance with the provisions of the DC-ADM 804, VI D, 1, a proper appeal to final review should include photocopies of the Initial Grievance, Initial Review, the Appeal to the Facility Manager, and the Facility Manager's decision. The text of your appeal to this office shall be legible, presented in a courteous manner, and the statement of facts shall not exceed two pages.

Review of the record reveals that your appeal is incomplete. You have failed to provide this office with the required documentation that relates to your appeal. An appeal at this level will not be permitted until you have complied with all procedures established in DC-ADM 804. Any further correspondence from you regarding this grievance, which does not contain the required documents needed to conduct final review, will result in a dismissal of your grievance.

Sincerely,

Tshanna Kyler

Tshanna C. Kyler
Administrative Assistant

TCK/ms

cc: Superintendent Gillis
Grievance Office
Central File

*About nurse Bernas cutting my
diabetic medication with out cause
or authority attempted murder*